

# EXHIBIT A

**From:** Wire.room@web-cashplus.com <Wire.room@web-cashplus.com>  
**Sent:** Wednesday, February 14, 2024 2:52 PM  
**To:** blust5@msn.com <blust5@msn.com>  
**Subject:** [Cust Out Wire Advice - eMail] Message ID:240214112515GKA3 Advice Code:OTCSADEM

From: BARRINGTON BANK AN Wire Transfer Dept.

In accordance with your instructions, we have DEBITED your account: \*\*\*\*\*9073  
for \$1,035,078.81.

Sender Name & ABA: BARRINGTON BANK AN 071925651  
Reference #: 240214112515GKA3

Receiver ABA & Name: 026009593 BK AMER NYC  
FED Reference: 20240214MMQFMP14001157

Originator Bank:

By Order Of: LIT DEF STRATEGIES LLC \*\*\*\*\*9073  
157 HARBOR DR LAKE BARRINGTON,IL 60010-1533

Beneficiary: TWM RECEIVERSHIPS INC \*\*\*\*\*3058  
655 WEST BROADWAY SUITE 900 SAN DIEGO CA 92101

Beneficiary Bank:

Intermediary Bank:

Other Bank info: REF: ACCOUNT ENDING IN 0296 - \$79.50, ACCOUNT ENDING IN 9073 - \$1,034,999.31  
\*\*\*\*\*

If you have any questions, please contact your local branch.

# EXHIBIT B

PERSONIUS MELBER LLP

ATTORNEYS AT LAW

2100 MAIN PLACE TOWER

350 MAIN STREET

BUFFALO, NEW YORK 14202-3750

TELEPHONE (716) 855-1050 FAX (716) 855-1052

WWW.PERSONIUSMELBER.COM

RODNEY O. PERSONIUS  
PARTNER

rop@personiusmelber.com

February 15, 2024

Via Email (jthoman@hodgsonruss.com)

James C. Thoman, Esq.  
Hodgson Russ LLP  
The Guaranty Building  
140 Pearl Street, Suite 100  
Buffalo, NY 14202

**Re: Consumer Financial Protection Bureau, et al. v. Stratfs, LLC, et al.**  
**Civ. No. 24-cv-40**  
**Our File No. 1575.01**

Dear James:

Late yesterday afternoon, we learned that the Receiver has removed over \$1 million from Lit Def Strategies' bank account. *See* attachment. It appears that those funds were wired to an account held by the Receiver in California. This transfer was done without any advance notice to us. Moreover, we understand the transfer was done without the prior knowledge or consent of the Court or Government.

We have serious doubts about the propriety of this transfer under the terms of the TRO. In addition, as you must know, the parties are negotiating a plan to allow the defendants and law firms to provide services to their existing clientele going forward. The sudden removal of funds from the Lit Def Strategies account materially interferes with that plan by removing capital that is badly-needed to fund future operations. If the Receiver's intent was to jeopardize that settlement, his timing could not have been better.

We ask that you provide the following information to us this morning: (1) the purpose of the transfer; (2) the justification for the amount of the transfer; (3) the identifying information for the account where the funds are now being held; and, (4) the Receiver's claimed authority for this transfer. As settlement negotiations are ongoing, this is an urgent issue for us. Please provide this information as quickly as possible to allow us to better understand the Receiver's actions. If necessary, we will seek court intervention on this matter.

Very truly yours,



Rodney O. Personius

James C. Thoman, Esq.

February 15, 2024

Page 2

---

ROP/amb

c:      Vanessa Buchko, Esq.  
          AAG Christopher Boyd  
          Dennis Vacco, Esq.  
          Ronald Safer, Esq.  
          Terrence M. Connors, Esq.

# EXHIBIT C

## Rodney O. Personius

---

**From:** Thoman, James C. <JThoman@hodgsonruss.com>  
**Sent:** Friday, February 16, 2024 8:03 AM  
**To:** Rodney O. Personius  
**Cc:** vanessa.buchko@cfpb.gov; christopher.boyd@ag.ny.gov; Dennis C. Vacco; rsafer@rshc-law.com; Terry Connors (tmc@connorsllp.com); Amy M. Bigaj; Thomas McNamara  
**Subject:** RE: CFPB v. Stratfs, et al

Good Morning Rod, the receivership account was opened at Bank of America which has branches in the Western District.

I am not sure I understand your next question: "As to our first inquiry, are you indicating these funds were transferred as part of action on the part of the Receiver to open a bank account to be used as a repository for all receivership funds?" As I previously indicated the account was opened and funds transferred pursuant to the TRO. If you are asking whether there are other pre-receivership accounts that still contain funds, the answer is yes. There are CIBC and Valley Bank accounts which remain open and are subject to controls placed on those accounts by the secured creditors of the receivership defendants.

The entire Lit Def Strategies account balance was transferred to the receivership account.

Jim

---

**From:** Rodney O. Personius <rop@personiusmelber.com>  
**Sent:** Thursday, February 15, 2024 6:17 PM  
**To:** Thoman, James C. <JThoman@hodgsonruss.com>  
**Cc:** vanessa.buchko@cfpb.gov; christopher.boyd@ag.ny.gov; Dennis C. Vacco <dvacco@lippes.com>; rsafer@rshc-law.com; Terry Connors (tmc@connorsllp.com) <tmc@connorsllp.com>; Amy M. Bigaj <amb@personiusmelber.com>; Thomas McNamara <tmcnamara@mcnamarallp.com>  
**Subject:** RE: CFPB v. Stratfs, et al

### External Email - Use Caution

---

James: Our concern regarding the movement of these funds persists. As noted in our first email, this action jeopardizes settlement negotiations which are ongoing and will continue tomorrow.

Please respond to my second email, below, by 9 am tomorrow.

Thank you, Rod

Rodney O. Personius, Esq.  
Personius Melber LLP  
2100 Main Place Tower  
Buffalo, NY 14202  
(716) 855-1050 x101  
[www.personiusmelber.com](http://www.personiusmelber.com)

Nothing in this email is intended to nor shall it constitute an "electronic signature" absent a specific, affirmative statement to that effect.

This electronic mail transmission is intended solely for the use of the individual or entity to whom it is addressed, and may contain confidential information belonging to the sender or recipient that is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or initiation of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by e-mail and delete the original message. Thank you for your cooperation.

**From:** Rodney O. Personius  
**Sent:** Thursday, February 15, 2024 2:17 PM  
**To:** Thoman, James C. <[JThoman@hodgsonruss.com](mailto:JThoman@hodgsonruss.com)>  
**Cc:** [vanessa.buchko@cfpb.gov](mailto:vanessa.buchko@cfpb.gov); [christopher.boyd@ag.ny.gov](mailto:christopher.boyd@ag.ny.gov); Dennis C. Vacco <[dvacco@lippes.com](mailto:dvacco@lippes.com)>; [rsafer@rshc-law.com](mailto:rsafer@rshc-law.com); Terry Connors ([tmc@connorsllp.com](mailto:tmc@connorsllp.com)) <[tmc@connorsllp.com](mailto:tmc@connorsllp.com)>; Amy M. Bigaj <[amb@personiusmelber.com](mailto:amb@personiusmelber.com)>; Thomas McNamara <[tmcnamara@mcnamarallp.com](mailto:tmcnamara@mcnamarallp.com)>  
**Subject:** RE: CFPB v. Stratfs, et al

James: We acknowledge receipt of your prompt response.

We agree that your email responds to our fourth question – the claimed authority for the transfer; however, the provision of the TRO that has been relied upon expressly provides that any account opened by the Receiver shall be in the WDNY. Can you please confirm that this new receivership account is at a financial institution in the district?

We understand you will follow up regarding our third inquiry, which requests identifying information for this new account. What we have in mind are the name and location of the financial institution which now has custody of the transferred funds, the type of account, and the name and account number assigned to this account.

As to our first inquiry, are you indicating these funds were transferred as part of action on the part of the Receiver to open a bank account to be used as a repository for all receivership funds?

As to our second inquiry, are you indicating that the amount of the transfer represents the entire balance of the Lit Def Strategies account?

We again request that you please respond as soon as possible to these questions.

Thank you, Rod

Rodney O. Personius, Esq.  
Personius Melber LLP  
2100 Main Place Tower  
Buffalo, NY 14202  
(716) 855-1050 x101  
[www.personiusmelber.com](http://www.personiusmelber.com)

Nothing in this email is intended to nor shall it constitute an “electronic signature” absent a specific, affirmative statement to that effect.

This electronic mail transmission is intended solely for the use of the individual or entity to whom it is addressed, and may contain confidential information belonging to the sender or recipient that is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or initiation of any action in reliance on the contents of this information is strictly prohibited. If you have received this

transmission in error, please notify the sender immediately by e-mail and delete the original message. Thank you for your cooperation.

---

**From:** Thoman, James C. <[JThoman@hodgsonruss.com](mailto:JThoman@hodgsonruss.com)>  
**Sent:** Thursday, February 15, 2024 11:52 AM  
**To:** Rodney O. Personius <[rop@personiusmelber.com](mailto:rop@personiusmelber.com)>  
**Cc:** [vanessa.buchko@cfpb.gov](mailto:vanessa.buchko@cfpb.gov); [christopher.boyd@ag.ny.gov](mailto:christopher.boyd@ag.ny.gov); Dennis C. Vacco <[dvacco@lippes.com](mailto:dvacco@lippes.com)>; [rsafer@rshc-law.com](mailto:rsafer@rshc-law.com); Terry Connors ([tmc@connorsllp.com](mailto:tmc@connorsllp.com)) <[tmc@connorsllp.com](mailto:tmc@connorsllp.com)>; Amy M. Bigaj <[amb@personiusmelber.com](mailto:amb@personiusmelber.com)>; Thomas McNamara <[tmcnamara@mcnamarallp.com](mailto:tmcnamara@mcnamarallp.com)>  
**Subject:** RE: CFPB v. Stratfs, et al

Hello Rod, please see Section IX (P) of the TRO which authorizes the Receiver to open a bank account and to deposit the funds of the Receivership Defendants in such account. The TRO addresses items 1,2 and 4 of your letter. I'll inquire with the receiver as to the details of the receivership account and get back to you. If you have any follow up don't hesitate to call.

Thanks  
Jim

---

**From:** Amy M. Bigaj <[amb@personiusmelber.com](mailto:amb@personiusmelber.com)>  
**Sent:** Thursday, February 15, 2024 10:51 AM  
**To:** Thoman, James C. <[JThoman@hodgsonruss.com](mailto:JThoman@hodgsonruss.com)>  
**Cc:** [vanessa.buchko@cfpb.gov](mailto:vanessa.buchko@cfpb.gov); [christopher.boyd@ag.ny.gov](mailto:christopher.boyd@ag.ny.gov); Dennis C. Vacco <[dvacco@lippes.com](mailto:dvacco@lippes.com)>; [rsafer@rshc-law.com](mailto:rsafer@rshc-law.com); Terry Connors ([tmc@connorsllp.com](mailto:tmc@connorsllp.com)) <[tmc@connorsllp.com](mailto:tmc@connorsllp.com)>; Rodney O. Personius <[rop@personiusmelber.com](mailto:rop@personiusmelber.com)>  
**Subject:** CFPB v. Stratfs, et al

---

**External Email - Use Caution**

Please see attached letter sent on behalf of Rodney Personius.

Amy Bigaj  
Office Manager  
Personius Melber LLP  
2100 Main Place Tower  
350 Main Street  
Buffalo, NY 14202  
(716) 855-1050  
[amb@personiusmelber.com](mailto:amb@personiusmelber.com)  
[www.personiusmelber.com](http://www.personiusmelber.com)

Nothing in this email is intended to nor shall it constitute an "electronic signature" absent a specific, affirmative statement to that effect.

This electronic mail transmission is intended solely for the use of the individual or entity to whom it is addressed and may contain confidential information belonging to the sender or recipient that is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or initiation of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by e-mail and delete the original message. Thank you for your cooperation.

# EXHIBIT D

## Rodney O. Personius

**From:** JASON <blust5@msn.com>  
**Sent:** Thursday, February 15, 2024 10:26 PM  
**To:** Rodney O. Personius  
**Subject:** Fw: Wire request initiated

---

**From:** Charles Schwab & Co., Inc. <donotreply@mail.schwab.com>

**Sent:** Thursday, February 15, 2024 11:29 AM

**To:** BLUST5@MSN.COM <BLUST5@MSN.COM>

**Subject:** Wire request initiated



Account ending: 120

Feb 15, 2024



Account ending: 120

Feb 15, 2024

Your Wire Request Has Been Initiated.

Your Wire Request Has Been Initiated.

Dear Client,

Your request to wire funds from your Schwab account has been initiated. In some instances we may need to verify your wire instructions verbally before completing the request.

Wire amount \$2076284.89

From account ending in 120

Wire recipient	TWM RECEIVERSHIPS INC
Receiving Bank	BANK OF AMERICA, NA
To account ending in	058
Case ID	WI-112364589

To view the status of your wire transfer, please [login](#) to your Schwab account.

**Thank you for the opportunity to serve you.** If you have questions, please call **877-258-7774** to speak with a Schwab representative.

[PERSPECTIVE](#) | [PRIVACY](#) | [CONTACT US](#) | [LOG IN](#)

If you have any questions or concerns, PLEASE DO NOT REPLY TO THIS EMAIL. Instead, visit [Schwab.com/contactus](#) to identify a fast and simple way to get in touch.

For your protection, we are unable to accept instructions to change your email address sent in reply to this message. To update your address using a secure channel, please [log in](#) to your account.

For your security, Charles Schwab will never request personal information through email.

View [SchwabSafe](#) and [The Schwab Security Guarantee](#).

Notice: All email sent to or from the Charles Schwab corporate email system is subject to archival, monitoring and/or review by Schwab personnel.

Charles Schwab & Co., Inc., 3000 Schwab Way, Westlake, TX 76262-8104.

©2024 Charles Schwab & Co., Inc. All rights reserved. Member [SIPC](#).

(0415-0242) WRRCR